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FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL
FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF
WORK OF THE COMMISSION:

HUMAN RIGHTS, MASS EXODUSES AND DISPLACED PERSONS

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND
OTHER DEPENDENT COUNTRIES AND TERRITORIES

Letter dated 13 March 1998 from the Chargé d'affaires a.i. of the
Permanent Mission of the Federal Republic of Yugoslavia to the
United Nations Office at Geneva addressed to the Chairman of the
Commission on Human Rights

I have the honour to transmit, enclosed herewith,* the statement of
the Government of the Federal Republic of Yugoslavia entitled "Current
Humanitarian Situation of Refugees in the Federal Republic of Yugoslavia
and Durable Solutions", and to ask you to kindly distribute it to the members
of the Commission and to have it published as an official document of the
fifty-fourth session of the Commission, under agenda items 9 (d) and 10.

(Signed) Mr. Miroslav MILOŠEVIĆ
Chargé d'affaires a.i.

* The attachment is circulated as received in the language of
submission only.

Annex

THE CURRENT HUMANITARIAN SITUATION OF REFUGEES
IN THE FEDERAL REPUBLIC OF YUGOSLAVIA
AND DURABLE SOLUTIONS

The position of refugees in the FR Yugoslavia is still very difficult indeed. As yet, some 700.000 war-affected persons reside in the Federal Republic of Yugoslavia.

As the consequence of the Croatian authorities' and organized Croat civilian groups' policy of discrimination and intimidation, we are witnessing new inflows of Serb refugees from Eastern Slavonija. Some 40.000 refugees have been registered to date, with new inflows expected as yet.

No wonder then that the humanitarian situation of the refugees is characterized by immense hardships, with their future prospects being, indeed, more than uncertain, since in 1997 meagre result have been made in the repatriation field, a field which is, in our view, of primary importance.

We must emphasize our particular concern with regards to the continuous decline of the international humanitarian aid, in scope, as well as in the numbers and categories of beneficiaries notwithstanding the immense needs of large numbers of refugees and the most difficult economic situation in the country - a consequence of the unjustly imposed sanctions. Ms. E. Rehn, the Special Rapporteur, in her report on the situation of human rights in the Federal Republic of Yugoslavia (E/CN./1998/15) refers to the difficult economic situation in Yugoslavia and the severe humanitarian situation of refugees. No country of a similar size and economic potentials, regardless of its willingness to help, could bear on its own the burden of additional population of such a magnitude. Since the process of devising durable solutions is so slow, the FR Yugoslavia considers that continuation of sustained humanitarian aid should be kept, indeed at least, on previous levels.

Notwithstanding the fact that FR Yugoslavia provides for a by far largest number of refugees in Europe, its share in the total international aid for the states in the territory of the former Yugoslavia accounts to some 15 per cent of the total. The international community's humanitarian aid to Yugoslavia covers only 10% of total needs of the refugees in the FR of Yugoslavia.

Due to insufficient international humanitarian aid, the Federal Republic of Yugoslavia is compelled to allocate over 5% of its GNP for the care of the refugees on its territory. A part of these costs is covered by the Yugoslav business enterprises or the population.

The following can serve as an illustration of a major drop in the international aid effort: The funds earmarked for refugees in the FR Yugoslavia under the Interagency appeal, even though inadequate, have been diminished each year: from US\$ 104,7 million in 1996, to US\$ 55,4 million in 1997, to US\$ 45,2 million envisaged for 1998. In addition, the World Food Program (WFP) and the Humanitarian Office of the European Union (ECHO) who had provided food aid for Yugoslavia for 400.000 beneficiaries, reduced it further to cover some 250.000 beneficiaries in 1997. In 1998, WFP has suspended its aid programme completely.

Two years after the Dayton-Paris Agreement and more than a year after the signing of the Agreement on Normalization of Relations between the FR Yugoslavia and the Republic of Croatia, the status of and prospects for the implementation of the provisions of these documents related to the problems of the refugees in the territory of the former Yugoslavia are by far below expectations.

Serb refugees who fled from Croatia account for 54 per cent, with 43 per cent of refugees from Bosnia-Herzegovina. Out of the total number of refugees, 256.453 are persons who were forced to flee from the UN Protected Areas. Of the total number, some 30% are children up to 19 years of age, 14% are over 65, more than 50% are women. Over 54% of the refugees are accommodated in the homes of their friends and relatives. Only 5% have their own accommodation. The refugees accommodated in collective centers are the most vulnerable segment of that population. There are 57.000 of them, and they are exclusively depending on humanitarian aid.

There are 7.598 children registered as orphans who lost their parents during the war in the territory of the former Yugoslavia - 6 915 boys and girls lost one parent, 683 lost both parents. Every fourth child who lost one or both parents is under 7 years of age.

We wish to reiterate that the attitude of the Croatian side has been the major obstacle on the way to implementing durable solutions as envisaged by Article 7 of the Normalization Agreement between the FR of Yugoslavia and Croatia. Croatia, although verbally undertaking its obligations, is in practice making every effort to prevent the return of the Serb refugees, although envisaged by the Report on the situation of human rights in the Republic of Croatia submitted by Ms. Elisabeth Rehn, Special Rapporteur (doc.E/CN.4/1998/14).

The best evidence for such Croatian attitude is the fact that through UNHCR's mediation only 1,030 refugees have returned from the FR Yugoslavia to Croatia since the beginning of the implementation of this Article. This is just "a drop in the bucket", as it were, compared to the

interest for return. Namely, at the beginning of 1997, according to one single association of refugees from Croatia, more than 56,000 refugees were willing to return from the FR Yugoslavia to the Republic of Croatia.

The FR Yugoslavia is expecting that the international community make additional efforts, and take all the measures indispensable for an organized, collective return of Serb refugees to the Republic of Croatia.

In an effort to facilitate repatriation of refugees into Bosnia and Herzegovina, paramount importance should be rendered to maintaining a balance between the two entities in the distribution of funds for reconstruction. It is also indispensable that the Moslem-Croat Federation meet its obligations under Annex 7 of the Peace Agreement, without any preconditions.

In defining durable solutions for the refugee problem, the FR Yugoslavia takes as its point of departure the principles contained in the relevant international documents dealing with humanitarian law: Annex 7 of the Dayton - Paris Agreement; Article 7 of the Agreement on Normalization of Relations between the FR Yugoslavia and the Republic of Croatia, guarantees for a safe return, along with a safe and dignified life in places of return, with respect of the refugees' free will to return to their places of origin/or the places of their own choice. In view of this the Federal Republic of Yugoslavia is determined to pursue consistently the implementation of the Dayton-Paris Agreement Annex VII, as well as the Agreement on Normalization of relations between the Federal Republic of Yugoslavia and the Republic of Croatia.

As for the local integration of a segment of refugees residing in the Federal Republic of Yugoslavia, it could be accomplished on condition of available adequate assistance and support from the international community.

Under the conditions of extended international isolation and a substantial international economic cooperation and assistance lacking, the FR of Yugoslavia is not in a position to bear on its own the burden of integration of a segment of refugees who either do not wish, or cannot return to their homes. The outer wall of sanctions imposed on Yugoslavia, not based on any relevant UN decisions, is drastically reducing, even thoroughly devaluing the efforts aimed at reaching durable solutions to refugee problems.

Although the foreign aid granted so far for the integration programme has been welcome, it is by far lagging behind the actual needs, failing to cover all the components indispensable for a lasting integration effort. Hence, there is a need for additional international financial assistance, which implies donors' enhanced engagement. Developmental organizations should play a particular role in this regard.
